

UNITED STATES DISTRICT COURT

for the
Western District of WashingtonIn the Matter of the Tracking of
(Identify the person to be tracked or describe
the object or property to be used for tracking)A black Chrysler 300 Sedan, bearing Washington
license plate number SM00921, as further described
in Attachment A-3

Case No. MJ23-130

APPLICATION FOR A TRACKING WARRANT

I, a federal law enforcement officer or attorney for the government, have reason to believe that the person, property, or object described above has been and likely will continue to be involved in one or more violations of

21 U.S.C. §§ 841 & 846

. Therefore, in furtherance of a criminal investigation, I request authority to install and use a tracking device or use the tracking capabilities of the property or object described above to determine location. The application is based on the facts set forth on the attached sheet.

☒ The person, property, or object is located in this district.☐ The activity in this district relates to domestic or international terrorism.☐ The person, property, or object is not now located in this district, but will be at the time of execution.☐ Other:

The tracking will likely reveal these bases for the warrant under Fed. R. Crim. P. 41(c): (check one or more)

☒ evidence of a crime;☒ contraband, fruits of crime, or other items illegally possessed;☒ property designed for use, intended for use, or used in committing a crime;☐ a person to be arrested or a person who is unlawfully restrained.☒ I further request, for purposes of installing, maintaining or removing the tracking device, authority to enter the following vehicle or private property, or both:

A black Chrysler 300 Sedan, bearing Washington license plate number SM00921 and the property located at 3221 Meadow Avenue North, Renton, WA 98056, as further described in Attachment A-3

☒ Delayed notice of 90 days (give exact ending date if more than 30 days: 08/04/2023) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means ☐ telephonically recorded.s/ Jonathan J. Dittoe
Applicant's signature

Jonathan Dittoe, Task Force Officer, DEA

Applicant's printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or
- ☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.



Judge's signature

Date: 03/22/2023

City and state: Seattle, Washington

Michelle L. Peterson, U.S. Magistrate Judge

Printed name and title

Attachment A-3

Description of Target Vehicle and Nature of Authorization for Tracking

This warrant shall authorize agents with DEA and other law enforcement agents/officers/technicians working with them, to place an autonomous GPS tracking device on the Target Vehicle described below:

a. **Target Vehicle 4 (TV4):** A black Chrysler 300 Sedan, bearing Washington license plate number SM00921, registered to Blanca Lopez Rodriguez at 3221 Meadow Ave N, Renton, WA 98056.

Agents are authorized to:

a. install, remove, monitor, repair, or adjust an electronic tracking device on or within the vehicle at any time of the day or night;

b. if necessary to protect the safety of persons installing, removing, monitoring, repairing, or adjusting the electronic tracking device, or to protect the integrity of the investigation, surreptitiously enter the subject vehicle at any time of the day or night, and move the subject vehicle from one location to another for the purpose of installing, removing, monitoring, repairing, or adjusting the device;

c. surreptitiously re-enter the subject vehicle at any time of the day or night, for the purpose of installing, removing, monitoring repairing, or adjusting the device;

d. continuously monitor any and all signals emitted from the device, including when the vehicle enters any structure or private property in which there may be a reasonable expectation of privacy; and

e. move one or more tracker back and forth between Target Vehicles during the authorized tracking period as surveillance suggests would be most productive, with “execution” of the warrant having been accomplished if at least one tracker is installed on one **Target Vehicle 4** within ten days of issuance of the warrant.

Private Property

In addition to entering **Target Vehicle 4**, Agents may surreptitiously enter all driveways, roadways, parking areas (including any enclosed garage structure), and other places where **Target Vehicle 4** may be parked at the following locations, in order to access the above-described vehicle pursuant to the warrant, at any time of the day or night:

a. 3221 Meadow Avenue North, Renton, WA 98056.

This authorization continues in any jurisdiction where **Target Vehicle 4** may move for a period not to exceed forty-five (45) days.

1 “court of competent jurisdiction” as defined in 18 U.S.C. § 2711. Specifically, the Court is
2 a district court of the United States that has jurisdiction over the offenses being
3 investigated, *see* 18 U.S.C. § 2711(3)(A)(i).

4 Pen Register Act

5 3. Because these warrants seek the prospective collection of information that
6 falls within the statutory definitions of information collected by a “pen register” and/or
7 “trap and trace device,” *see* 18 U.S.C. § 3127(3) & (4), the requested warrants are designed
8 to comply with the Pen Register Act, 18 U.S.C. §§ 3121-3127.

9 4. The Court has jurisdiction to issue the requested pen-trap orders because it is
10 a “court of competent jurisdiction” under 18 U.S.C. § 3122(a)(2). Specifically, the Court
11 is a district court of the United States that “has jurisdiction over the offense being
12 investigated.” 18 U.S.C. § 3127(2)(A)(i).

13 5. This application includes all the information required by the Pen Register
14 Act. *See* 18 U.S.C. §§ 3122(b) & 3123(a)(1). Namely, Exhibit 1 to this application is a
15 certification from Assistant United States Attorney C. Andrew Colasurdo that (1) identifies
16 the Drug Enforcement Administration (DEA) as the law enforcement agency conducting
17 the investigation and (2) certifies the information likely to be obtained is relevant to an
18 ongoing criminal investigation being conducted by those agencies. 18 U.S.C. § 3122(b).
19 The Assistant United States Attorney is an “attorney for the government” as defined in
20 Rule 1(b)(1) of the Federal Rules of Criminal Procedure.

21 6. A “pen register” is “a device or process which records or decodes dialing,
22 routing, addressing, or signaling information transmitted by an instrument or facility from
23 which a wire or electronic communication is transmitted.” 18 U.S.C. § 3127(3). A “trap
24 and trace device” is “a device or process which captures the incoming electronic or other
25 impulses which identify the originating number or other dialing, routing, addressing, and
26 signaling information reasonably likely to identify the source of a wire or electronic
27 communication.” 18 U.S.C. § 3127(4).

1 7. In the traditional telephone context, pen registers captured the destination
2 phone numbers of outgoing calls, while trap and trace devices captured the phone numbers
3 of incoming calls. Similar principles apply to other kinds of wire and electronic
4 communications such as emails, text messages, connection logs, and data transfers. The
5 prospective location data sought in this application constitutes “dialing, routing,
6 addressing, and signaling information” covered by the Pen Register Act. Accordingly, the
7 requested warrant will record, decode, and/or capture dialing, routing, addressing, and
8 signaling information associated with the **Target Telephones** without geographic limit.

9 8. The United States further requests, pursuant to 18 U.S.C. §§ 3123(b)(2) and
10 3124(a)-(b), that the Court order through Attachment B of the requested warrants that
11 AT&T, and any other person or entity providing wire or electronic communication service
12 in the United States whose assistance may facilitate execution of these warrants furnish,
13 upon service of the warrants, information, facilities, and technical assistance necessary to
14 install the pen/traps, including installation and operation of the pen-traps unobtrusively and
15 with minimum disruption of normal service. Any entity providing such assistance shall be
16 reasonably compensated by the government, pursuant to 18 U.S.C. § 3124(c), for
17 reasonable expenses incurred in providing facilities and assistance in furtherance of the
18 warrant.

19 9. **Through this application, the United States does not request and does**
20 **not seek to obtain the contents of any communications, as defined in 18 U.S.C.**
21 **§ 2510(8).**

22 10. I also make this affidavit in support of an Application to obtain a tracking
23 warrant for the following vehicle:

24 a. A black Chrysler 300 Sedan, bearing Washington license plate
25 number SM00921, registered to Blanca Lopez Rodriguez at 3221 Meadow Avenue North,
26 Renton, WA 98056, (hereinafter referred to as “**Target Vehicle 4**” or **TV4**”), as
27 described in Attachment A-3.

11. Based on the facts set forth in this Affidavit, there is probable cause to believe that violations of Title 21, of the United States Code, Sections 841 (distribution and possession with intent to distribute controlled substances) and 846 (attempt and conspiracy to commit the above controlled substances offenses) have been committed, are being committed, and will be committed by individuals using **TT9** (believed to be a person known only as El Gordo), and **TT10** and **TV4** (believed to be used by Humberto Lopez-Rodriguez). There is also probable cause to believe that members of the DTO are using multiple cellular phones and vehicles in furtherance of these crimes, including **TT9**, **TT10**, and **TV4** and that the whereabouts of **TT9**, **TT10**, and **TV4** over time, and the location information described in Attachment B, will constitute evidence of those criminal violations and will lead to the identification of individuals who are engaged in the commission of these offenses. Obtaining the information sought in this Affidavit is necessary to further the investigation into these offenses.

AGENT BACKGROUND

12. I am a "law enforcement officer of the United States" within the meaning of Title 18, United States Code, Section 2510(7), who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516.

13. I am currently employed by the Seattle Police Department (hereinafter SPD) and assigned to the Narcotics Section. I am deputized as a Task Force Officer with the Drug Enforcement Administration, United States Department of Justice, and have been so deputized by the DEA since October of 2005. In this capacity, I investigate violations of the Controlled Substance Act, 21 U.S.C. § 801 *et seq.*, and related offenses. I am currently assigned to the DEA Seattle Field Division. In 1993, I attended the 12-week Washington State Basic Law Enforcement Academy, a portion of which was devoted to narcotics enforcement. For several years I was assigned to proactive street patrol focusing on narcotics enforcement, both in uniform and in plain clothes. I have attended trainings

1 courses related to drug investigations through the DEA and SPD, including undercover
2 operations, confidential informants, financial investigations, money laundering, and
3 telecommunications exploitation and surveillance. I have participated in, and conducted
4 hundreds of narcotics arrests, ranging from street level dealers to major drug traffickers.

5 14. During my career, I have investigated numerous types of criminal offenses,
6 including those involved in the current investigation. These investigations have included
7 the unlawful importation, possession with intent to distribute, and distribution of controlled
8 substances; the related laundering of monetary instruments; the conducting of monetary
9 transactions involving the proceeds of specified unlawful activities; and conspiracies
10 associated with criminal narcotics offenses. These investigations have utilized the
11 following investigative techniques: the use of informants, undercover agents, the analysis
12 of pen register, trap and trace, and toll records, physical surveillance, and the execution of
13 search warrants. I have planned, participated in, and supervised the execution of dozens of
14 search warrants authorizing the search of locations associated with drug traffickers and
15 their co-conspirators, such as residences, businesses, storage facilities, outbuildings, safety
16 deposit boxes, and vehicles.

17 15. I have also been an affiant on multiple federal wiretap affidavits, have
18 testified in grand jury proceedings, and have written investigative reports. These
19 investigations resulted in numerous state and federal prosecutions of persons who have
20 possessed, imported, or distributed controlled substances, as well as the seizure of illegal
21 drugs and the proceeds from the sale of those drugs. As part of my experience with
22 wiretaps, I have monitored, listened to, reviewed transcripts and line sheets (prepared by
23 linguists) documenting the content of hundreds of intercepted conversations involving the
24 trafficking of cocaine, methamphetamine, heroin, fentanyl analogues, marijuana, and other
25 narcotics, by persons who used some form of code to thwart law enforcement. I also have
26 interviewed defendants at the time of their arrest and have debriefed, spoken with, or
27 interviewed numerous drug dealers or confidential sources (informants) at proffer and

1 safety valve interviews who were experienced in speaking in coded conversation over the
2 telephone. In many instances, I was able to speak with these drug traffickers about specific
3 conversations in which they were intercepted pursuant to electronic surveillance. From
4 these interviews, and from discussions with other experienced agents, I have gained
5 knowledge regarding the various methods, techniques, codes, and/or jargon used by drug
6 traffickers in the course of their criminal activities, including their use of firearms to protect
7 their narcotics related activities and of cellular telephones, pagers, and personal digital
8 assistants to facilitate communications while avoiding law enforcement scrutiny.

9 16. By virtue of my training and experience, and my interactions with other
10 experienced agents who conduct drug investigations, I am familiar with the methods used
11 by drug traffickers to: (1) import, transport, store, safeguard, and distribute drugs; (2)
12 collect, transport, store, safeguard, remit, and/or launder drug proceeds; (3) obtain and
13 utilize telephones, pagers, computers, and other devices in order to communicate with each
14 other, as well as the jargon and/or codes commonly used when they refer to drugs and/or
15 drug proceeds. I also have examined documentation of various methods in which illicit
16 drugs are smuggled, transported, and distributed. I have had discussions with other law
17 enforcement officers and cooperating individuals about the packaging and preparation of
18 narcotics, methods of operation, and security measures that are often employed by
19 narcotics traffickers. As a result of my experience, I have become familiar with the day to
20 day operations and the various tools, methods, trends, paraphernalia and related articles
21 utilized by various traffickers in their efforts to manufacture, possess, import, conceal,
22 package, use, and distribute controlled substances.

23 17. This is the first application in this judicial district for a tracking warrant and
24 pen trap order for **TT9** and **TT10**. Similarly, this is the first application for a tracking
25 warrant for **TV4** in this judicial district.

26 //

27 //

KNOWLEDGE BASED ON TRAINING AND EXPERIENCE

18. Based upon my experience and training as well as conversations I have had with other agents and law enforcement officers who specialize in narcotics investigations, including investigations into the laundering of narcotics trafficking proceeds, and I am familiar with the methods, tactics, and techniques utilized by narcotics trafficking/money laundering organizations. I have spoken with federal agents, as well as other law enforcement officers, about their experiences and the results of their investigations and interviews. Through my conversations with these agents and other law enforcement officers, I am knowledgeable in the methods and modes of narcotics trafficking/money laundering operations.

19. Based on my training and experience, I know narcotics traffickers often require the use of one or more communication facilities to negotiate times, places, schemes, and manners for importing, possessing, concealing, manufacturing, and distributing controlled substances and for arranging the disposition of proceeds from the sale of controlled substances. I know international and domestic narcotics trafficking organizations often depend on maintaining timely long-distance and local connections between original sources of supply and those down the organizational chain. Narcotics traffickers utilize a variety of communication methods, including telephone communications, encrypted messaging applications, and email. I also know narcotics traffickers often use fraudulent information to subscribe to communication facilities, and frequently change communication facilities to thwart law enforcement efforts to intercept their communications.

20. Based on my training and experience, and my discussions with other experienced officers and agents involved in drug investigations, I know that drug dealers use cellular telephones as a tool or instrumentality in committing their criminal activity. They use them to maintain contact with their suppliers, distributors, and customers. They prefer cellular telephones because they can be purchased without the location and personal

1 information that land lines require. They can be easily carried to permit the user maximum
2 flexibility in meeting associates, avoiding police surveillance, and traveling to obtain or
3 distribute drugs. They can also be passed between members of a drug conspiracy to allow
4 substitution when one member leaves the area temporarily. I also know that it is common
5 for drug traffickers to retain in their possession phones that they previously used, but have
6 discontinued actively using, for their drug trafficking business. Based on my training and
7 experience, the data maintained in a cellular telephone used by a drug dealer is evidence of
8 a crime or crimes.

9 21. In my experience, GPS location data garnered from either cellular GPS ping
10 warrants or vehicle tracking warrants has yielded information that is relevant and material
11 to drug trafficking investigations. Such information includes, but is not limited to: (1) the
12 identities of suspected suppliers, customers, and other potential conspirators who assist in
13 the distribution of controlled substances; (2) the location of meetings between
14 conspirators and “stash” houses where illicit substances are stored; (3) the locations used
15 by the targets for drug distribution; (4) the locations of money transfer businesses used by
16 members of the operation to launder proceeds of drug trafficking activities or through which
17 money is exchanged with co-conspirators; (5) the geographical breadth of the suspected
18 drug trafficking; and (6) the identity of co-conspirators, potential organizers, leaders,
19 managers, or supervisors of the suspected trafficking and distribution organizations, by
20 examining the transportation patterns and utilizing surveillance to identify all the potential
21 targets.

22 22. Additionally, based upon my training and experience, one way to identify
23 co-conspirators is to covertly follow suspect vehicles known to be utilized in furtherance
24 of drug trafficking offenses with the aid of electronic tracking devices, and then to
25 conduct an investigation concerning those names and addresses identified through
26 surveillance. Based upon electronic tracking device data, I would then direct other
27 investigators to conduct surveillance at the addresses and determine if criminal activity was

1 occurring there, which in turn could yield potential names and conspirators, and potential
2 drug storage locations used by the organization. Obtaining this electronic tracking device
3 data for TV4 is critical to accurately identify co-conspirators and locations

4 23. I have participated in the ongoing investigation, only a portion of which is
5 described in this affidavit, since Fall 2020. During that time, I have obtained the facts set
6 forth in this affidavit through personal participation in the investigation described below,
7 from oral and written reports of other law enforcement officers, from records, documents
8 and other evidence obtained during this investigation, and from confidential sources and
9 sources of information who are associated with, and knowledgeable about, the subjects of
10 this investigation and their confederates. I have obtained and read official reports prepared
11 by various law enforcement officers participating in this investigation and in the other
12 related investigations by agencies referenced in this affidavit.

13 24. Since this affidavit is submitted for the limited purpose of securing
14 authorization for a tracking warrant and pen trap order for TT9 and TT10, and a tracking
15 warrant for TV4, I have not included every fact known concerning this investigation. I
16 have set forth the facts that I believe are necessary for a fair determination of probable
17 cause for the requested search/tracking warrants.

18 **PROBABLE CAUSE**

19 **Ongoing Investigation**

20 25. This purpose of this affidavit is in support of an ongoing investigation into a
21 Drug Trafficking Organization (DTO) involved in a conspiracy to import and distribute
22 illegal narcotics, including methamphetamine, heroin, fentanyl and cocaine, from Mexico
23 into the United States, specifically the Western District of Washington. During the ongoing
24 investigation of this DTO, investigators have utilized telephone tracking, pen registers, and
25 vehicle tracking to acquire and assist in the acquisition of evidence of this ongoing
26 conspiracy. These techniques and the aforementioned acquired evidence have been utilized
27 in probable cause determinations by Magistrate Judges for the Western District of

1 Washington and the granting of search warrants, the executions of which have resulted in
2 the seizure of illegal narcotics, as well as U.S. Currency believed to be the proceeds of
3 narcotics.

4 26. This affidavit seeks the authority for the described electronic surveillance
5 techniques on **Target Telephones 9 and 10**, described above, and **Target Vehicle 4**, a
6 black Chrysler 300 sedan bearing Washington license plate SM00921 registered to Blanca
7 Lopez Rodriguez at 3221 Meadow Avenue North, Renton, WA 98056.

8 **Use of Confidential Source**

9 27. This investigation has utilized various investigative techniques including the
10 use of confidential sources of information, specifically Confidential Source 1 (hereinafter
11 "CS1").

12 28. CS1 was previously a target of this investigation. Specifically, in late 2020,
13 investigators surveilled CS1 at money pick-ups. In early 2021, investigators observed CS1
14 conduct at least one suspected controlled substance transaction. Prior to enforcement action
15 against CS1, CS1 approached law enforcement to provide information regarding the
16 ISLAS-BUCIO Drug Trafficking Organization (DTO). CS1 admitted to previously being
17 involved in drug trafficking activities with the ISLAS-BUCIO DTO. CS1 has no criminal
18 history. CS1 understands that he/she must provide only truthful information to law
19 enforcement investigators. To my knowledge, CS1 has not provided false information
20 during this, or in other investigations. CS1 has been paid in this investigation both when
21 he/she has provided information and when he/she has engaged in undercover operations at
22 the direction of law enforcement. CS1 is also receiving immigration benefits including
23 deferred action and work authorization.

24 29. CS1 lives in the community and has close ties to some members of the DTO
25 and, therefore, wishes to remain anonymous for fear of reprisals and retribution. However,
26 CS1 has expressed a willingness to testify if his/her identity could be protected.

1 30. CS1 has also provided general information about the quantities of drugs
2 transported by the DTO, how they are transported, and how illicit proceeds are handled.
3 Some of this information was already known to investigators, and other information has
4 been independently corroborated by investigators. CS1 has also participated in multiple
5 controlled purchases as part of this investigation.

6 **Use of TT9, TT0 and TV4 During Controlled Purchase in March 2023**

7 31. As described in detail below, investigators conducted a controlled purchase
8 of heroin and cocaine from an individual known as “El Gordo.” The narcotics were
9 delivered by a “runner” identified as Humberto Lopez-Rodriguez who arrived in TV4. CS1
10 arranged the controlled purchase of narcotics via phone contact with El Gordo over TT9.
11 Based upon telephone toll analysis of TT9, investigators identified TT10 as the telephone
12 utilized by Humberto Lopez-Rodriguez. Based upon my analysis of the telephone contact
13 between TT9 and TT10 during the controlled delivery, as described in detail below, I
14 believe there is probable cause to believe that the delivery of narcotics to CS1 was arranged
15 by El Gordo, using TT9 to communicate with Humberto Lopez-Rodriguez utilizing TT10.

16 32. In late February 2023, CS1 provided investigators with information
17 regarding an individual known as El Gordo. El Gordo remains unidentified. CS1 stated that
18 El Gordo was sent to Washington by associates of the DTO, but that El Gordo had a falling
19 out with the DTO. It is unknown if El Gordo has current information regarding the DTO’s
20 operations. However, CS1 stated that El Gordo recently was offering a variety of narcotics
21 for sale. CS1 stated that El Gordo was associated with a tire store in Burien, Washington,
22 and lived at a specified apartment complex in Renton, Washington. CS1 provided 206-849-
23 6553 (TT9) as a telephone number utilized by El Gordo for contact to obtain narcotics.

24 33. In early March 2023, at the instructions of investigators, CS1 initiated
25 conversations with El Gordo for the purpose of conducting a controlled purchase of
26 narcotics. Investigators met with CS1 and instructed CS1 to place a phone call to El Gordo
27 over TT9. This phone call was live-monitored, recorded, and investigators confirmed the

1 destination number (**TT9**). During the conversation, El Gordo told CS1 that he (El Gordo)
2 had cocaine and heroin. CS1 requested that El Gordo deliver multiple ounces of heroin the
3 following day. CS1 and El Gordo also agreed upon a price per ounce of heroin.

4 34. The following day, in early March 2023, at approximately 6:30 p.m., CS1
5 met with investigators to conduct the controlled purchase planned with El Gordo. CS1's
6 person and his/her vehicle were searched and found to be clear of contraband and
7 unauthorized items. CS1 was provided with DEA buy funds to conduct the controlled
8 purchase. CS1 was subsequently maintained under surveillance and control until the
9 conclusion of the operation.

10 35. At the instruction of investigators, CS1 placed a monitored and recorded
11 phone call to **TT9** in order to finalize the drug transaction with El Gordo. According to
12 telephone toll records, this call occurred at 6:38 p.m.¹ Investigators confirmed the
13 destination number for the phone call (**TT9**). During the phone call, El Gordo told CS1
14 that he (El Gordo) would send a third party ("runner") to meet with CS1. El Gordo stated
15 he would contact the runner to see what time the runner could meet CS1. As instructed by
16 investigators, CS1 provided El Gordo with a meeting location to conduct the transaction.
17 During these preliminary conversations, CS1 also requested an ounce of cocaine from El
18 Gordo pursuant to investigators' instructions.

19 36. According to toll records, at 6:40 p.m., immediately after the phone
20 conversation with CS1, **TT9** (El Gordo) placed a phone call to 425-919-6467 (**TT10**). This
21 phone contact was less than one minute in duration and may not have been completed. At
22 6:45 p.m., **TT10** placed a return outgoing call to **TT9**, which lasted over one minute, and
23 based upon its duration appeared to be a connected phone conversation. Immediately after
24 the phone contact between **TT9** and **TT10**, El Gordo (**TT9**) utilized a messaging
25 application to advise CS1 that the runner would be available at 8:00 p.m. El Gordo also

26
27 ¹ Subsequent to this transaction, investigators obtained via subpoena, telephone toll records and subscriber information for **TT9** and **TT10**.

1 provided a price that reflected the total price for three ounces of heroin and an ounce of
2 cocaine. CS1 received these messages at 6:47 p.m. Based on this exchange I believe that
3 El Gordo utilized **TT9** to contact **TT10** to find out when the runner would be available to
4 meet CS1.

5 37. Subsequently, there was no additional toll records for **TT9** until 8:01 p.m.,
6 when **TT9** (El Gordo) sent a series of texts and a made brief phone call to **TT10** within
7 one minute of each other. At 8:02 p.m., **TT9** (El Gordo) immediately placed a phone call
8 to CS1. At the time, CS1 was in place at the pre-arranged meeting location and the phone
9 call was monitored by agents over a mobile transmitter. Immediately thereafter, CS1
10 reported to investigators that s/he had informed El Gordo that s/he was present at the
11 meeting location and that El Gordo had reported that the runner was delayed, but was
12 enroute to the meeting location. Based upon this exchange, I believe that El Gordo utilized
13 **TT9** to contact **TT10** to ascertain the runner's status and subsequently reported this
14 information to CS1.

15 38. Approximately twenty minutes later, at 8:19 p.m., **TT9** (El Gordo) received
16 an incoming call from **TT10** (the runner) that lasted approximately six minutes. At 8:31
17 p.m., **TT9** (El Gordo) sent a message to CS1 advising that it would be ten more minutes
18 before the runner arrived. Based upon this exchange, I believe that El Gordo (**TT9**) had
19 received an update on the runner's status via a phone conversation with the runner (using
20 **TT0**), and relayed that information to CS1.

21 39. Approximately 10 minutes later, at 8:40 p.m., **TT9** (El Gordo) placed a brief
22 phone call to **TT10** (the runner), and immediately thereafter placed a brief phone call to
23 CS1. During this phone call, El Gordo (**TT9**) informed CS1 that the runner would be
24 arriving in a black Chrysler 300. At approximately the same time, toll records show that
25 **TT10** (the runner) was placing a call to **TT9** (El Gordo). Within two minutes of this phone
26 call, **TT9** (El Gordo) placed another phone call to **TT10** (the runner). Based upon this
27 exchange, I believe that **TT9** (El Gordo) and **TT10** (the runner) were in contact with each

1 other to confirm that the runner had arrived at the agreed upon meeting location, as well as
2 to confirm the vehicle the runner was driving, and arrange the meeting with CS1.

3 40. At approximately the same time these phone calls were taking place,
4 surveillance observed a black Chrysler 300 (**TV4**)² arrive at the pre-arranged meeting
5 location and park near CS1. CS1 then exited her/his vehicle and entered the passenger side
6 of **TV4**. After a brief time inside **TV4**, CS1 returned to his/her vehicle.

7 41. CS1 was subsequently debriefed by investigators. CS1 confirmed that the
8 individual inside **TV4** was El Gordo's runner. CS1 stated that the runner provided CS1
9 with a quantity of heroin and cocaine consistent with the agreement CS1 made with El
10 Gordo, in exchange for the previously described official buy funds. Investigators obtained
11 the multiple ounces of heroin and cocaine and remaining buy funds from CS1 which were
12 consistent with investigators instructions and the phone conversations with El Gordo.

13 42. Meanwhile, investigators followed **TV4** from the meeting location directly
14 to **TV4**'s registered address (3221 Meadow Ave N, Renton, WA 98056), a single family
15 residence (not apartment) in Renton, Washington. The driver of **TV4** was observed
16 walking from the vehicle and entering the front door of the residence. Investigators
17 subsequently obtained, from investigation of **TV4** and the Renton residence, a Washington
18 Driver's License photograph of a male, matching the description of the driver/runner. CS1
19 identified this individual (Humberto Lopez Rodriguez) from the photograph as the
20 driver/runner of **TV4**.

21 43. Telephone records subpoenaed from AT&T revealed that **TT10** was
22 activated on February 22, 2023. **TT9** was in contact with **TT10** 34 times from February
23 22, 2023 through March 7, 2023. A search of a public database revealed that the area code
24 and prefix of **TT10** corresponds to telephone numbers assigned to Renton, Washington.

25 _____
26 ² **TV4** was identified as bearing Washington license SM00921, a black Chrysler 300 sedan
27 registered to Blanca Lopez Rodriguez at 3221 Meadow Ave N, Renton, WA 98056.

1 **TT10** is a prepaid telephone, and it appears based upon the subpoena response from AT&T
2 that no identifiable information was provided to AT&T from the phone user/subscriber.

3 44. Based upon the information contained herein, together with my training and
4 experience it is my belief that **TT9** and **TT10** are being utilized by El Gordo and Humberto
5 Lopez Rodriguez, respectively, in an ongoing conspiracy to traffic narcotics. Additionally,
6 it is my belief that **TV4** is also being utilized by Humberto Lopez Rodriguez to traffic
7 narcotics in furtherance of the conspiracy. The requested tracking authorizations for **TT9**,
8 **TT10** and **TV4**, and pen register trap/trace for **TT9** and **TT10**, will further this
9 investigation by assisting investigators in: identifying locations, vehicles, facilities, and
10 additional co-conspirators being utilized in this ongoing conspiracy; as well as seizing
11 narcotics, narcotics proceeds and other evidence of this ongoing conspiracy.

12 **KNOWLEDGE OF CELL PHONE PROVIDERS**

13 45. Based on my training and experience, I know each cellular device has one or
14 more unique identifiers embedded inside it. Depending on the cellular network and the
15 device, the embedded unique identifiers for a cellular device could take several different
16 forms, including an Electronic Serial Number (“ESN”), a Mobile Electronic Identity
17 Number (“MEIN”), a Mobile Identification Number (“MIN”), a Subscriber Identity
18 Module (“SIM”), a Mobile Subscriber Integrated Services Digital Network Number
19 (“MSISDN”), an International Mobile Subscriber Identifier (“IMSI”), or an International
20 Mobile Equipment Identity (“IMEI”). The unique identifiers -- as transmitted from a
21 cellular device to a cellular antenna or tower -- can be recorded by pen-traps and indicate
22 the identity of the cellular device making the communication without revealing the
23 communication’s content.

24 46. Based on my training and experience, I know that when a cell phone connects
25 to a cellular antenna or tower, it reveals its embedded unique identifiers to the cellular
26 antenna or tower, and the cellular antenna or tower records those identifiers as a matter of
27 course. The unique identifiers -- as transmitted from a cell phone to a cellular antenna or

1 tower -- are like the telephone number of an incoming call. They can be recorded by pen-
2 trap devices and indicate the identity of the cell phone device making the communication
3 without revealing the communication's content. In addition, a list of incoming and
4 outgoing telephone numbers is generated when a cell phone is used to make or receive
5 calls, or to send or receive text messages (which may include photographs, videos, and
6 other data). These telephone numbers can be recorded by pen-trap devices and then used
7 to identify the parties to a communication without revealing the communication's contents.

8 47. Based my training and experience, I know that a cell phone can also be used
9 to exchange text messages with email accounts. The email addresses associated with those
10 text messages can be recorded by pen-trap devices and then used to identify parties to a
11 communication without revealing the communication's contents.

12 48. Based on my training and experience, I know that cellular phones can
13 connect to the internet via a cellular network. When connecting through a cellular network,
14 internet communications sent and received by the cellular phone each contain the same
15 unique identifier that identifies cellular voice communications, such as an ESN, MEIN,
16 MIN, SIM, IMSI, MSISDN, or IMEI. Internet communications from a cellular phone also
17 contain the IP address associated with that cellular phone at the time of the communication.
18 Each of these unique identifiers can be used to identify parties to a communication without
19 revealing the communication's contents.

20 49. In my training and experience, I have learned that AT&T is a company that
21 provides cellular telephone access to the general public. I also know that certain providers
22 of cellular telephone service have technical capabilities that allow them to collect and
23 generate information about the locations of the cellular telephones to which they provide
24 service, including E-911 Phase II data (also known as GPS data or latitude-longitude data)
25 and cell-site data (also known as "tower/face information" or cell tower/sector records). E-
26 911 Phase II data provides relatively precise location information about the cellular
27 telephone itself, either via GPS tracking technology built into the phone or by triangulating

1 on the device's signal using data from several of the provider's cell towers. Cell-site data
2 identifies the cell towers (*i.e.*, antenna towers covering specific geographic areas) that
3 received a radio signal from the cellular telephone and, in some cases, the "sector" (*i.e.*,
4 faces of the towers) to which the telephone connected. These towers are often a half-mile
5 or more apart, even in urban areas, and can be 10 or more miles apart in rural areas.
6 Furthermore, the tower closest to a wireless device does not necessarily serve every call
7 made to or from that device. Accordingly, cell-site data is typically less precise than E-911
8 Phase II data.

9 50. Based on my training and experience, I know that AT&T can collect E-911
10 Phase II data about the location of **TT9** and **TT10**, including by initiating a signal to
11 determine the location of **TT9** and **TT10**, on AT&T's networks or with such other
12 reference points as may be reasonably available.

13 51. When using a cellular connection to receive or transmit data, a cellular phone
14 typically utilizes a cell tower to make telephone calls, send or receive text messages, send
15 or receive emails, surf the internet, carry out application-initiated data transfers, among
16 other things.

17 52. Based on my training and experience, I know that AT&T can collect cell-site
18 data about **TT9** and **TT10**. Based on my training and experience, I know that for each
19 communication (including data connections) a cellular device makes, its wireless service
20 provider can typically determine: (1) the date and time of the communication; (2) the
21 telephone numbers involved, if any; (3) the cell tower to which the customer connected at
22 the beginning of the communication; (4) the cell tower to which the customer connected at
23 the end of the communication; and (5) the duration of the communication. I also know that
24 wireless providers, such as AT&T, typically collect and retain cell-site data pertaining to
25 cellular devices to which they provide service in their normal course of business in order
26 to use this information for various business-related purposes.

53. Different service providers use different systems, applications, and reports to collect or analyze cell site data. These systems, applications, and reports are referred to by a variety of names including, but not limited to real-time tool or “RTT” (Verizon), Periodic Location Updates or “PLU” (Verizon), per call measurement data or “PCMD” (Sprint PCS), Network Event Location System or “NELOS” (AT&T), EVDO, ALULTE, Timing Advance, and TruCall. RTT data, for example, estimates the approximate distance of the cellular device from a cellular tower based upon the speed with which signals travel between the device and the tower. This information can be used to estimate an approximate location range that is more precise than typical cell-site data.

54. Based on my training and experience, I know that wireless providers, such as AT&T, typically collect and retain information about their subscribers in their normal course of business. This information can include basic personal information about the subscriber, such as name and address, and the method(s) of payment (such as credit card account number) provided by the subscriber to pay for wireless communication service. I also know that wireless providers such, as AT&T, typically collect and retain information about their subscribers’ use of the wireless service, such as records about calls or other communications sent or received by a particular device and other transactional records, in their normal course of business. In my training and experience, this information may constitute evidence of the crimes under investigation because the information can be used to identify **TT9** and **TT10** user(s) and may assist in the identification of co-conspirators.

55. Modern cell phones allow users to switch their telephone numbers, use multiple telephone numbers on a single device, and transfer their telephone number to a different cell phone. These changes can be made with the assistance of the wireless provider or by taking actions such as changing the “SIM card” (short for “subscriber identity module card”) of a cellphone. To provide for any such changes made to **TT9** and **TT10**, Attachments A-1 and A-2 specify that the property to be searched includes: (i) any instrument to which the listed target telephone number was assigned within the last 30

1 days, and that now has been assigned a changed telephone number, (ii) any changed
2 telephone number assigned to an instrument now bearing the same unique identifying
3 number (such as an IMSI, ESN, MSID, or IMEI) as the telephone number listed above, or
4 that was bearing the same unique identifying number as the telephone number listed above,
5 at any point within the last 30 days, (iii) any changed unique identifying number
6 subsequently assigned to the same telephone number, or (iv) any additional changed
7 telephone number and/or unique identifying number, whether the changes occur
8 consecutively or simultaneously, listed to the same subscriber and wireless telephone
9 account number as the telephone numbers listed above, within the period of disclosure
10 authorized by this warrant.

11 **AUTHORIZATION REQUEST FOR TARGET TELEPHONES 9 AND 10**

12 56. Based on the foregoing, I request that the Court issue the proposed search
13 warrants and pen-trap orders, pursuant to Federal Rule of Criminal Procedure 41, 18 U.S.C.
14 § 2703(c), and 18 U.S.C. § 3123.

15 57. I further request that the Court direct AT&T to disclose to the government
16 any information described in Attachment B that is within the possession, custody, or
17 control of AT&T. I also request that the Court direct AT&T to furnish the government all
18 information, facilities, and technical assistance necessary to accomplish the collection of
19 the information described in Attachment B, unobtrusively and with a minimum of
20 interference with AT&T's services, including by initiating a signal to determine the
21 location of **TT9** and **TT10** on AT&T's network or with such other reference points as may
22 be reasonably available, and at such intervals and times directed by the government. The
23 government shall reasonably compensate AT&T for reasonable expenses incurred in
24 furnishing such facilities or assistance.

25 58. Pursuant to 18 U.S.C. § 2703(g), the government will execute this warrant
26 by serving the warrant on AT&T. Because the warrant will be served on AT&T, who will
27 then compile the requested records and data, reasonable cause exists to permit the

1 execution of the requested warrant at any time in the day or night. I therefore request that
2 the Court authorize execution of the warrant at any time of day or night, owing to the
3 potential need to locate **TT9** and **TT10** outside of daytime hours.

4 **AUTHORIZATION REQUEST FOR TARGET VEHICLE 4**

5 59. Based on the foregoing, I respectfully submit there is probable cause to
6 believe that Humberto Lopez-Rodriguez is using **TV4** in furtherance of drug trafficking,
7 including violations of Title 21 of the United States Code. Installing a tracking device and
8 obtaining real time GPS tracking data on the location of the **TV4** is necessary and
9 appropriate to aid the investigation of this drug trafficking organization. This Application
10 is part of an ongoing investigation into a drug trafficking organization with associates both
11 known and unknown. "Real time" GPS data on the **TV4** used by Humberto Lopez-
12 Rodriguez would assist investigators in identifying El Gordo and Humberto Lopez-
13 Rodriguez's associates, their residences, and possibly any stash location used by El Gordo
14 and Humberto Lopez-Rodriguez. Investigators would be able to easily locate **TV4** in order
15 to conduct surveillance of **TV4**, which could lead to identifying other co-conspirators
16 and/or sources of supply. Accordingly, there is probable cause to believe that tracking this
17 vehicle will reveal evidence, fruits, and instrumentalities of Title 21, United States Code,
18 Sections 841 and 846.

19 60. I respectfully request that the Court issue a warrant authorizing members of
20 the DEA, or their authorized representatives, including but not limited to other law
21 enforcement agents and technicians assisting in the above-described investigation, to
22 install a tracking device in or on **TV4** within the Western District of Washington within 10
23 days of the issuance of the requested warrant, and to remove said tracking device from
24 **TV4** after the use of tracking devices has ended; to surreptitiously enter the property
25 located at 3221 Meadow Avenue North, Renton, Washington 98056, where the **TV4** may
26 be parked, and/or move **TV4** to effect the installation, repair, replacement, and removal of
27 the tracking device; and to monitor the tracking device, for a period of 45 days following

1 the issuance of the warrant, including when the tracking device is inside private garages
2 and other locations not open to the public or visual surveillance, both within and outside
3 the Western District of Washington.

4 61. I further request that the Court authorize execution of the warrant (i.e.,
5 installation, monitoring, and removal) at any time of day or night, owing to the potential
6 need to locate TV4 outside of daytime hours.

7 **REQUEST FOR DELAYED NOTICE**

8 62. I further request, pursuant to 18 U.S.C. § 3103a(b) and Federal Rule of
9 Criminal Procedure 41(f)(3), that the Court authorize the officer executing the warrants to
10 delay notice to the subscriber/registered owner or user of TT9, TT10, and TV4 until 90
11 days after the collection authorized by the warrant has been completed. There is reasonable
12 cause to believe that providing immediate notification of the warrant may have an adverse
13 result, as defined in 18 U.S.C. § 2705. Providing immediate notice to the
14 subscriber/registered owner or user of TT9, TT10, and TV4 would seriously jeopardize
15 the ongoing investigation, as such a disclosure would give that person an opportunity to
16 destroy evidence, change patterns of behavior, notify confederates, and flee from
17 prosecution. *See* 18 U.S.C. § 3103a(b)(1).

18 63. Furthermore, with respect to TT9 and TT10, as further specified in
19 Attachment B, which are incorporated into the warrants, the proposed search warrant does
20 not authorize the seizure of any tangible property. *See* 18 U.S.C. § 3103a(b)(2). Moreover,
21 to the extent that the warrant authorizes the seizure of any wire or electronic
22 communication (as defined in 18 U.S.C. § 2510) or any stored wire or electronic
23 information, there is reasonable necessity for the seizure for the reasons set forth above.
24 *See* 18 U.S.C. § 3103a(b)(2).

25 **REQUEST FOR SEALING**

26 I further request that the Court order that all papers in support of this Application,
27 including the Affidavit, Search Warrants, and Pen/Trap Orders, and all related documents,

1 be sealed until further order of the Court. These documents discuss an ongoing criminal
2 investigation that is neither public nor known to all of the targets of the investigation.
3 Accordingly, there is good cause to seal these documents because their premature
4 disclosure may seriously jeopardize that investigation.

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6
7 
8 JONATHAN DITTOE, DEA
9 Task Force Officer

10 The above-named agent provided a sworn statement to the truth of the foregoing
11 affidavit by telephone on the 22nd day of March, 2023.

12
13 
14 MICHELLE L. PETERSON
15 United States Magistrate Judge
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EXHIBIT 1

DECLARATION

I, C. Andrew Colasurdo, declare as follows:

1. I am a duly appointed Assistant United States Attorney for the Western District of Washington, and I have primary responsibility for representing the interests of the United States herein.

2. I make this declaration in support of an Application for search warrants pursuant to Federal Rule of Criminal Procedure 41 and 18 U.S.C. § 2703(c)(1)(A) with an integrated pen-trap order pursuant to 18 U.S.C. §§ 3122 and 3123. Pursuant to 18 U.S.C. § 3122(a)(1), I am the applicant for purposes of the pen-trap portion of the requested warrant and order.

3. Pursuant to 18 U.S.C. § 3122(b), I certify that DEA is the law enforcement agency conducting the investigation in this matter and that the information likely to be obtained from the requested warrant is relevant to an ongoing criminal investigation being conducted by those agencies.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing Application is made on the basis of information officially furnished, and on that basis I verily believe such information to be true.

Executed this 22nd day of March, 2023.

s/ C. Andrew Colasurdo
C. ANDREW COLASURDO
Assistant United States Attorney